

## REMARKS

Applicants respond hereby to the outstanding final Office Action mailed November 17, 2005, in this application. No claims amendments have been made hereby.

In response to the Examiners drawing objections at paragraph 4 of the outstanding Office Action, applicants thank the Examiner for pointing out the undersigned's error in the Request To Make Drawing Amendments filed by applicants on July 1, 2005. That is, in the Request, applicants amended drawing Fig. 3 to identify plane 5 erroneously as plane 4.

A second Request To Make Drawing Amendments, included and filed concurrently herewith, correctly identifies plane 5 with the element number 5. In view of the change, applicants respectfully request withdrawal of the paragraph 4 drawing objections.

And as to the objection to the disclosure, applicants understand that the section headings are proper under the rules of practice, and respectfully request withdrawal of the paragraph 5 objections.

### Response To Rejections Under 35 USC § 102

Claim 1-4 were rejected under 35 USC § 102(b) as anticipated by US Patent No. 6,424,732 to Shiffman. That is, the Examiner states that Shiffman discloses reconstructing a slice through the multi-dimensional data set along a cut plane through the multi-dimensional space (col. 8, lines 15-17), where the Examiner states that the 2D planes in Shiffman are actually representative of applicants claimed "slice," in the context of the claimed method element of claim 1:

**reconstructing a slice through the multi-dimensional data set along a cut plane through the multi-dimensional space such that the direction of the cut plane has a component in the direction of succession.**

Applicants respectfully assert that their claim 1 is not anticipated by Shiffman under 102(b), for at least that it does not set forth applicants' step of reconstructing, which calls out a cut plane, and a direction of the cut plane.

Applicants, therefore, respectfully request withdrawal of the rejection of claim 1 under 102(b) in view of Shiffman. For that matter, because claims 2-4 depend from claim 1, claims 2-4 are patentable under 102(b) in view of Shiffman for at least the reasons set forth for the patentability of claim 1, and request withdrawal of the rejection of claims 2-4 based thereon.

Rejections under 35 USC § 103

Claims 5 and 6 were rejected under 35 USC § 103 (a) as unpatentable over Shiffman in view of US Patent No. 5,457,754 to Han.

Applicants respectfully assert that regardless of whether Shiffman is combined with Han, a rejection of dependent claims 5 and 6 by their proposed combination under 103(a) cannot be sustained. Claims 5 and 6 depend from claim 1, and in view of the above argument, where applicants have distinguished Shiffman from independent claim 1 in a 102(b) sense, combining Shiffman with Han cannot remedy the failure to find any teaching or suggestion in Shiffman for the claim 1 step of reconstructing, which could render and sustain a charge that claims 5 and 6 are obvious.

Claims 5 and 6 are, therefore, non-obvious in view of the proposed combination, and applicants respectfully request withdrawal of the rejection of claims 5 and 6, under 103(a), in view of Shiffman and Han.

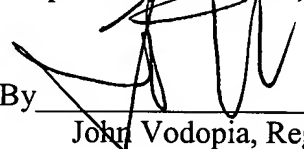
While the final Office Action makes no specific rejection of claims 7-9, the summary page does reject them.

Applicants assert that independent claims 7 and 8 include the limitation of “reconstructing”, included in each independent claim (e.g., claim 1), and as set forth in applicants’ arguments against the rejection of claim 1 under 102(b) in view of Shiffman.

Accordingly, claims 7 and 8, and claim 9 with depends from claim 7, are patentably distinct from Shiffman under 102(b), and patentably distinct from Shiffman, whether alone or in combination with Han, under 103 (a), and applicants respectfully request withdrawal of the rejection of claims 7-9.

Allowance of pending claims 1-9, and passage to issue of the application is respectfully requested.

Respectfully submitted,

By   
John Vodopia, Reg. 36,299  
Attorney for Applicants  
(914) 333-9627

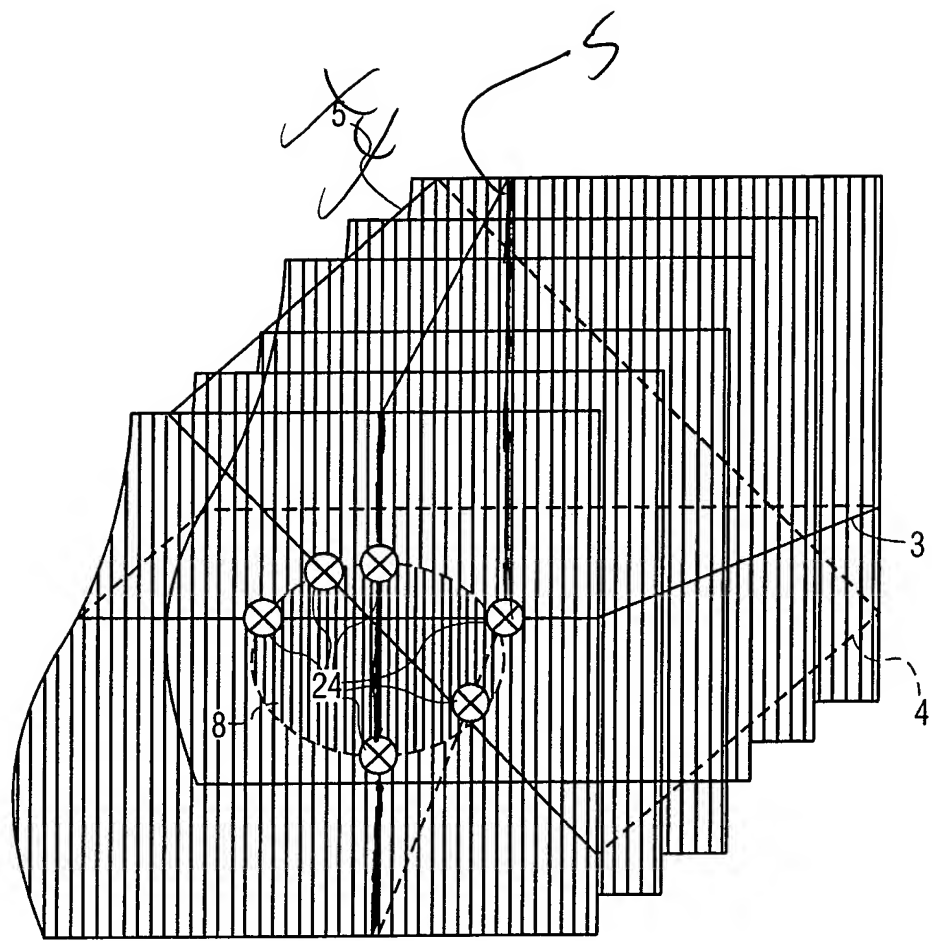


FIG. 3